

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**Caption in compliance with D.N.J. LBR 9004-1(b)**

**HILL WALLACK LLP**

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*Attorneys for Carrington Mortgage Services, LLC*

In Re:

Alan Houghton

Carrie Houghton

Debtor(s).

Chapter: 24-16085-CMG

Case No.: 13

Judge: Christine M. Gravelle U.S.B.J.

Hearing: August 21, 2024 at 10:00am

**OBJECTION OF CARRINGTON MORTGAGE SERVICING, LLC,  
TO THE CONFIRMATION OF THE DEBTOR'S CHAPTER 13 PLAN**

Carrington Mortgage Services, LLC ("Movant"), by its attorneys Hill Wallack LLP, hereby objects to the confirmation of the Debtor's Chapter 13 Plan as follows:

1. Movant is the holder of a Note and Mortgage on real property owned by Alan Houghton and Carrie Houghton ("Debtor's") at 137 Richard Street, Brick, NJ 08724 (the "Property").
2. On June 17, 2024 the Debtor filed a petition for relief under Chapter 13 of the Bankruptcy Code in the United States Bankruptcy Court.
3. The Debtor's pre-petition arrearage is approximately \$11,374.94 which will be set forth in the Proof of Claim that will be filed prior to the claim deadline. However, the Debtor's state in the Plan that the Debtor will repay Movant's pre-petition arrearage in the amount of only \$4,798.36.

4. The Plan as proposed does not provide for Movant's claim, and therefore, the Plan is not confirmable as the Debtor's options are to either provide for payment pursuant to 11 U.S.C. §1325(a)(5)(B)(ii) or surrender pursuant to 11 U.S.C. §1325(a)(5)(c). The Plan does neither, and therefore, the Plan does not satisfy the confirmation requirement of 11 U.S.C. §1325(a)(1).

5. If the Plan is confirmed, Movant may suffer irreparable injury, loss, and damage.

WHEREFORE, Movant, respectfully requests that confirmation of the Debtor's Chapter 13 Plan be denied.

Respectfully submitted,  
**HILL WALLACK LLP**  
*Attorneys for Carrington Mortgage Services, LLC*

Dated: August 8, 2024

By: /s/ Angela C. Pattison  
Angela C. Pattison

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<b>HILL WALLACK LLP</b> 1415 Route 70 East, Suite 309 Cherry Hill, NJ 08034 856-616-8086 Email: apattison@hillwack.com <i>Attorneys for Carrington Mortgage Services, LLC</i>	
In Re:	
Daniel J. Brewton dba Brewtons LLC	
Debtor.	

Chapter: 24-16085-CMG

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### CERTIFICATION OF SERVICE

1. I, Olivia Gilbert:

- ☐ represent the \_\_\_\_\_ in the above-captioned matter.
- ☒ am the secretary/paralegal for Hill Wallack LLP, who represents the Creditor in the above captioned matter.
- ☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On August 8, 2024, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below: ***Objection to Confirmation of Plan***

I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: August 8, 2024

/s/ Olivia L. Gilbert  
Olivia L. Gilbert

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Alan Houghton 137 Richard Street Brick, NJ 08724	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Carrie Houghton 137 Richard Street Brick, NJ 08724	Joint Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
James J. Cerbone Cerbone Law Firm 1704 Maxwell Drive Suite 206 Wall, NJ 07719	Debtor's Counsel	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Albert Russo Standing Chapter 13 Trustee CN 4853 Trenton, NJ 08650-4853	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\*May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.